

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

DE'RON DE'VAUGHN MAHONE, :
 :
 Plaintiff, :
 : No. 4:19-cv-00117-CDL-MSH
 v. :
 :
 STATE OF GEORGIA, *et al.*, :
 :
 Defendants. :

ORDER

Plaintiff, an inmate currently confined at Autry State Prison in Pelham, Georgia, filed a notice of appeal (ECF No. 42) from the court's judgment in favor of Defendants (ECF No. 37). Because his notice of appeal was arguably untimely, he filed a motion to reopen the time to file an appeal (ECF No. 43). While his motion was pending, the Court of Appeals docketed (ECF No. 45) his appeal. *See Mahone v. State of Georgia*, No. 20-13647, Notice of Appeal (11th Cir. Sept. 29, 2020), Doc. No. 1. The Court of Appeals subsequently dismissed his appeal on October 23, 2020, for want of prosecution because he failed to pay the appellate filing fee. *Mahone v. State of Georgia*, No. 20-13647, Entry of Dismissal (11th Cir. Oct. 23, 2020), Doc. No. 5. Now that his notice of appeal has been dismissed, Plaintiff's motion

to reopen his time to file an appeal is moot. That motion (ECF No. 43) is accordingly denied.

SO ORDERED, this 23rd day of **October, 2020**.

S/Clay D. Land
HONORABLE CLAY D. LAND
UNITED STATES DISTRICT JUDGE